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Due Diligence and M&A for Clean Energy Projects

John F. Young

Author Contact Information:

John F. Young

Clean Law PC

La Grange, IL

John.Young@CleanLawPC.com

312.806.1882

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STRUCTURE OF TRANSACTION

- “Stock” vs. asset
 - Transfer consideration (assignments, permits)
 - Inclusivity of transaction (assets and liabilities)
 - Tax considerations
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- Majority of transactions are “stock” (i.e., membership interest)



DEVELOPMENT/OPERATIONAL

- Payment structure
- Proximity to COD
- Regulatory changes



AREAS OF DILIGENCE

- Resource
- Operation
- Financial performance
- Condition of facilities
- Contracts
- Compliance/permits
- Incentives
- Corporate/legal health



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